

REMARKS

The Examiner, in paragraph 1 of the Official Action, has rejected claims 1-19 under 35 USC § 103(a) as being unpatentable over Kodak (a collection of prior art cited in Paper # 20041001, PTO-892, Items: U-V) in view of PictureVision (PTO-892, Item: U).

Applicant would first like to clarify that the Kodak Picture Center Online is just simply a service for ordering digital services over a communication network. Depending upon the route in which the user goes to Kodak Picture Center, various products and offerings may vary. For example, in a system where a picture center online is associated with CVS, a particular set of goods and/or offerings will be provided to a consumer at that site. However, a person that goes to Kodak Picture Center Online associated with PhotoPoint or some other retailer will see a different set of offerings which may or may not be at the same price. Kodak Picture Center Online merely provides Internet access to images that are stored on behalf of a retailer such as CVS, PhotoPoint, etc. Depending upon how the images have been stored and associated with, various different offerings may be provided at the same or different price. However, there is no providing of a selection of offerings of two or more service providers from a plurality of service providers at any particular service order terminal. What will be provided at the order terminal is a single set of product offerings at a stated price for it's associated business entity. There is no offering to the user the availability of selecting a service provider. In the claimed invention, there is provided a plurality of photo service providers. There is also provided a plurality of order terminals. Each of the order terminals being associated with one of a plurality of business entities. In addition, there is maintained information on a server with respect to business relationships between said plurality of photo service providers and said plurality of business entities. Thus, the claim specifically requires maintaining information between different business entities and service providers. In addition, the server provides a selection of offerings with respect to two or more of said plurality of service providers. That is, the server will display to the user at the order terminal at least two different service providers for providing of goods or services to the user which is based on the business relationships between

the business entity from which the order terminal is associated and the various service providers.

In the cited art there is no providing of a selection of different service providers to the user at the user terminal. Quite the contrary, what is provided is a selection of offerings by a particular retailer for fulfillment by a service provider. In the present claimed invention of claim 1 it is quite possible that the user may be able to purchase goods or services from a competitor of the business entity from which the order is being supplied. This is hardly obvious as in typical business relationships one does not allow the availability of offering goods or services of other providers different from the provider to which the customer is currently working with. But this is exactly how the present invention may operate. In particular, as previously noted, claim 1 specifically sets forth the providing of selection of offerings with respect to two or more of plurality of service providers from the providers which is based upon the business relationships between the plurality of service providers and plurality of business entities. The Examiner states that it would have been obvious to one of ordinary skill in the art to modify the Kodak to provide access to other service providers as taught by PhotoNet. However, PhotoNet does not directly provide access to different service providers for ordering of the same goods. Quite the contrary, what PhotoNet discloses is that particular retailers may have means for allowing their customers to access their image online. In the present invention the user has the ability to go to different sites from the single order terminal. This is clearly not taught or suggested by the prior art.

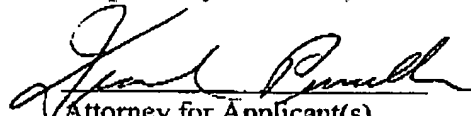
Independent claim 1, as amended, states that the selection of offerings with respect to the two or more service providers is from the server at said order terminal, is based on business relationship and selection of desired goods and service by a user at the order terminal. Thus, depending on the goods or services being ordered and the business relationships, the user will have the ability to select the appropriate service provider for the desired good or services which may or may not be a competing entity with regard to the business entity at which the terminal is located. This is clearly not taught or suggested by the prior art.

Independent claims 10 and 19 are similar to claim 1 except directed to a system for ordering digital goods or services or a computer software

program that allows the operation and the method similar to claim 1 and are therefore patentably distinct for the same reasons previously discussed.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.